

VILLAGE OF BERWYN

BYLAW NUMBER 718

Procedural Bylaw

This bylaw governs the proceedings of the Village of Berwyn's Council meetings outlining rules for scheduling meetings, conduct roles of council members and public participation. The intent is to provide clear transparent procedures for the efficient conduct of Council business in compliance with the Municipal Government Act (MGA) of Alberta.

1. Interpretation and Definitions

- 1.1 "Act" means the Municipal Government Act RSA 2000 c M-26 and any amendments thereto.
- 1.2 "Council" means the Council of the Village of Berwyn.
- 1.3 "Mayor" means the Mayor of the Village of Berwyn.
- 1.4 "**Meeting**" or "**Meetings**" refers to a regular, special, or emergency gathering of Council.
- 1.5 "Quorum" is the minimum number of council members required to conduct official business.
- 1.6 "Motion" is a formal proposal brought forward by Council for discussion and decision.
- 1.7 "Delegation" refers to any individual or group presenting to the Council during a meeting.
- 1.8 "Minutes": The official written record of the proceedings of Council meetings.
- 1.9 "Municipal Office": Refers to the administrative office of the Village of Berwyn.
- 1.10 "Resolution": A formal expression of opinion or decision made by the Council.

2. Meetings of Council

- 2.1 Regular Meetings: Regular meetings of Council shall be held on the second Thursday of every month at 6:___PM unless otherwise scheduled by the Mayor and Council. Notice of the meeting shall be posted 4 days in advance on the **Village website**.
- 2.2 Special Meetings: Special meetings may be called by the Mayor or by a majority of Council members with at least 24 hours' notice provided to Council and the public.

2.3 Emergency Meetings: Emergency meetings may be convened without public notice in situations where immediate Council decisions are necessary.

2.4 Electronic Meetings: Council members are permitted to attend up to 2 consecutive meetings electronically unless otherwise approved by the Council. Public access to electronic meetings will be provided as per the MGA. Electronic meetings will follow proper identification of councillors attending electronically and maintain confidentiality for in-camera sessions.

3. Quorum

3.1 When a quorum is present at the time set for the commencement of a Council meeting, the Mayor shall call the meeting to order.

3.2 If a quorum is present at the time set for the commencement of a Council meeting but the Mayor and Deputy Mayor are absent, the CAO shall call the meeting to order and call for a Presiding Officer to be chosen by resolution.

3.3 If a quorum is not constituted within fifteen (15) minutes from the time set for the commencement of a Council meeting, the CAO shall record the names of all the members present and state that the meeting is rescheduled.

3.4 Whenever a vote on a motion before the Council cannot be taken due to a loss of quorum caused by:

- the declaration of a pecuniary or conflict of interest; or
- a Councillor or Mayor's absence during all or part of a Public Hearing, the motion shall become the first order of business at the next Council meeting.

3.5 If a quorum is lost for any other reason, the meeting is adjourned.

4. Order of Business

4.1 The order of business at regular Meetings of the Council shall be as follows:

- Call to Order
- Adoption of the Agenda
- Disclosure of Pecuniary Interests
- Adoption of the Minutes
- Business Arising from the Minutes
- Petitions and Delegations
- Committee of the Whole
- Bylaws
- New Business
- Financials

- Correspondence and Information
- Reports of Committees
- Staff Reports
- Closed Session
- Adjournment

The Mayor may vary the order of business if deemed necessary.

5. Motions and Voting

5.1 Motions: Any member of Council may introduce a motion. Motions do not require a seconder.

5.2 Types of Motions: The following types of motions are permitted:

- Motion to refer
- Motion to amend
- Motion to table
- Motion to postpone
- Motion to accept

5.3 Voting: Voting shall be conducted by a show of hands or verbally. A motion is carried if it receives a majority vote. In the case of a tie, the motion is defeated.

5.4 Recorded Votes: Any member of Council may request a recorded vote.

6. Delegations

6.1 Delegations wishing to address Council must submit a request to the CAO at least 5 days prior to the meeting.

6.2 Each delegation is allotted 15 minutes for their presentation with time extensions granted at the discretion of the Mayor.

6.3 Delegations cannot address the same topic more than twice within six months unless substantially new information, such as additional data or significant developments, is provided. Delegations on related topics are welcome if they provide new insights or perspectives.

7. The Committee of the Whole (COTW)

7.1 A motion must be made in order to enter and leave the Committee of the Whole. The Committee enables Committee members to review upcoming and important issues and opportunities with members of the administration where deemed appropriate, where the focus is on understanding the broader policy implications of the items being considered.

The purpose of the COTW is to:

- Receive updates on emerging and ongoing projects and initiatives.
- Meet principally as a forum for discussion rather than as a decision-making arena, enabling all Committee members to discuss key items without the requirement to make a decision.

The key for the Committee is to keep the focus on the broader and more strategic items. The operation of the Committee is purposely kept informal to encourage deliberation of information and ideas. The Committee has no power to commit funds. Matters requiring further direction will be forwarded as a recommendation to Council.

8. Confidential Items (Closed Sessions)

8.1 Council may enter into a closed session to discuss confidential matters as permitted by the MGA.

8.2 No resolutions or bylaws may be passed during a closed session.

8.3 The agenda must list a description of the closed session topic and reference the applicable FOIP section.

8.4 Discussions and documents from closed sessions are confidential and must not be disclosed unless authorized by Council or required by law. Topics for closed sessions must align with Section 197 of the Municipal Government Act and relevant provisions of the Freedom of Information and Protection of Privacy (FOIP) Act.

9. Roles and Responsibilities

9.1 Mayor: The Mayor serves as chair of Council meetings, ensuring that all members are given an opportunity to speak and maintaining order.

9.2 Council Members: Council members must participate in meetings respectfully and in accordance with the rules set forth in this bylaw.

9.3 Chief Administrative Officer (CAO): The CAO is responsible for preparing the agenda, and Administrative Staff is responsible for recording minutes.

10. Mayoral Elections

10.1 Eligibility: Only members of the Council are eligible to be elected as Mayor.

10.2 The term of office for the Mayor shall be for one year, commencing on the first regular Meeting of the Council in the calendar year following the municipal election.

10.3 Election

10.3.1 *Election of Mayor:* The Mayor shall be elected by a majority vote of the members of the Council present at an Organizational Meeting where there is a full Council.

10.3.2 *Interim Appointment:* If there is no full council, then the Mayor will be appointed interim until a full council is convened. This process must occur within 90 days.

10.3.3 If there is a tie vote, the Deputy Mayor shall cast the deciding vote.

10.3.4 If the Deputy Mayor is a candidate for Mayor, the Mayor shall cast the deciding vote.

10.3.5 If the Mayor's position becomes vacant during the term of office, a new Mayor shall be elected in accordance with this Bylaw.

11. Oath of Office

Pursuant to Section 156 of the *Municipal Government Act*:

11.1 Administering the Oath of Office

Pursuant to Section 156 of the Municipal Government Act, all Council members, including the Mayor and Deputy Mayor, shall take the Oath of Office before assuming their duties. The Oath shall be administered by the Chief Administrative Officer (CAO) or, if the CAO is unavailable, by another authorized official in accordance with the requirements of the Municipal Government Act (MGA).

11.2 **Oath Requirements:** The Oath shall include a commitment to uphold municipal bylaws, serve the residents of the Village of Berwyn to the best of their ability, and comply with ethical standards outlined in the MGA.

12. Amendments

12.1 This bylaw may be amended by a majority vote of Council at any regular or special meeting.

13. Repeal of Previous Bylaws

13.1 This bylaw repeals any previous procedural bylaws, including Bylaw No. 698 and amendments thereto.

READ a first time on this **12th day of December 2024.**

READ a second time on this **12 day of December 2024.**

Given UNANIMOUS consent to go to third reading on this **12 day of December 2024.**

READ a third and final time on this **12 day of December 2024.**

Signed this **12 day of December 2024.**

Mayor

Acting Chief Administrative Officer